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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JACKSON et al.

Serial No.: 10/688,216

Filed: October 15, 2003

Atty. File No.: 4770-37

For: "AUTOMATED EXCAVATION
MACHINE"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Prior to the initial review of the above-identified patent application by the Examiner, please enter the following First Preliminary Amendment. Although Applicants do not believe that any fees are due based upon the filing of this Preliminary Amendment, please charge any such fees to Deposit Account 19-1970.

Please amend the above-identified patent application as follows:

) Group Art Unit: 3673

) Examiner: KRECK, JOHN J.

) FIRST PRELIMINARY AMENDMENT

"EXPRESS MAIL" MAILING LABEL NUMBER: EV36803886US
DATE OF DEPOSIT: June 22, 2004

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Barbara Tyndall

SIGNATURE: 